

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

NOV 27 2023

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

WALTER BETSCHART, on their behalf,  
and on behalf of all others similarly situated,  
et al.

Petitioners - Appellees,

v.

WASHINGTON COUNTY CIRCUIT  
COURT JUDGES, in their official  
capacities and STATE OF OREGON,

Respondents - Appellants

PATRICK GARRETT, Sheriff, Washington  
County Sheriff, in his official capacity,

Respondent.

No. 23-2270

D.C. No.

3:23-cv-01097-CL

District of Oregon, Portland

ORDER

WALTER BETSCHART, et al.

Petitioners - Appellants,

v.

STATE OF OREGON and WASHINGTON  
COUNTY CIRCUIT COURT JUDGES,

Respondents - Appellees.

No. 23-3560

D.C. No.

3:23-cv-01097-CL

District of Oregon,  
Portland

Before: W. FLETCHER, CHRISTEN, and MILLER, Circuit Judges.

The motion to stay the district court's November 2, 2023 and November 14,

2023 orders (Docket Entry No. 15 in 23-2270) is granted. *See Nken v. Holder*, 556 U.S. 418, 434 (2009) (defining standard for stay pending appeal). In granting a stay, we do not intend to constrain the merits panel's consideration of the merits of these cross-appeals in any way.

We sua sponte expedite these cross-appeals. The first brief on cross-appeal is due December 8, 2023. The second brief on cross-appeal is due December 22, 2023. The third brief on cross-appeal is due January 5, 2024. The optional cross-appeal reply brief is due January 16, 2024. No streamlined extensions of time will be approved. *See* 9th Cir. R. 31-2.2(a)(3). Any request for an extension of time to file a brief must be made by written motion under Ninth Circuit Rule 31-2.2(b).

The Clerk will place these cross-appeals on the calendar for February 2024. *See* 9th Cir. Gen. Ord. 3.3(g).